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*Attorneys for Plaintiff and the Proposed Class*

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

ANDREW PERRONG and JAMES  
EVERETT SHELTON, individually and on  
behalf of all others similarly situated,

Plaintiffs,

v.

TOMORROW ENERGY CORP fka  
SPERIAN ENERGY CORP, a Nevada  
corporation, and ENERGY GROUP  
CONSULTANTS, INC., a Kansas  
corporation, BAETYL GROUP LLC, a Texas  
limited liability company,

Defendants.

AND ALL RELATED ACTIONS.

NO. 2:19-cv-00115-RFB-EJY

**DECLARATION OF CRAIG B.  
FRIEDBERG IN SUPPORT OF  
PLAINTIFFS' MEMORANDUM IN  
SUPPORT OF ATTORNEYS' FEES AND  
COSTS**

I, Craig B. Friedberg, hereby declare as follows:

1. I am one of Plaintiffs' attorneys in this matter. I have personal knowledge of the facts set forth in this declaration, and if called as a witness, I would and could competently testify thereto.

DECLARATION OF CRAIG B. FRIEDBERG IN SUPPORT OF PLAINTIFFS'  
MEMORANDUM IN SUPPORT OF ATTORNEYS' FEES AND COSTS - 1

Case No. 2:19-cv-00115-RFB-EJY

2. My time record for the day of the hearing at issue, January 9, 2020 is as follows:

1/9/2020	Prepare for and attend hearing on P's emergency motion to compel and for sanctions	2.0 hrs
1/9/2020	Meeting w/ co-counsel re: hearing results and further procedures	<u>1.0 hrs</u>
	TOTAL	3.0 hrs

I have personally reviewed these records and the time expended was reasonably related to, and necessary for, the subject hearing.

3. My historical hourly rate since January 2019 is \$500.00 per hour. I have regularly billed clients in both non-contingent and contingent matters for my time at that rate. I raised my rate to \$500/hr as a result of increasing overhead and cost-of-living costs and the fact that the prior rate of \$450/hr had been in place for the previous four years unchanged. It is not a special or enhanced fee. It is the rate at which I am customarily retained and paid. It is also within the recognized range for class action and TCPA attorneys in Nevada. *See Exhibit 1*, Ronald L. Burdge, *United States Consumer Law Attorney Fee Survey Report 2017-2018*, at 122-23, available at <https://burdgelaw.com/wp-content/uploads/2019/10/US-Consumer-Law-Attorney-Fee-Survey-Report-2017-2018.pdf>. **The total amount requested is \$1,500.00.**

4. For the preceding four years before January 2019, I had regularly billed clients in both non-contingent and contingent matters for my time at the hourly rate of \$450.00. This rate has been approved in the two FDCPA class action cases in which it was presented to the Court, by the Honorable Lloyd D. George in *Hernandez v. Guglielmo*, case no. 2:09-cv-830, in 2015, and by the Honorable Andrew P. Gordon, in *Morris v. CACH*, case no. 2:13-cv-270, also in 2015. In 2017, in the Eighth Judicial District, Clark County, Nevada, I was approved at \$450.00/hr by the Honorable Kenneth Cory in an individual case, *Kelley v. Fairway Chevrolet Co.*, case no. A-13-674480-C (“Mr. Friedberg’s historical billing rate of \$450.00 per hour, [is] the prevailing rate in the community given the expertise, experience and reputation of Plaintiff’s

1 counsel, coupled with the type of consumer protection work both attorneys practice within this  
2 locality.”).

3 I declare under penalty of perjury under the laws of the State of Nevada that the  
4 foregoing is true and correct.

5 EXECUTED in Las Vegas, NV, this 30th day of January, 2020.

6  
7 /s/ Craig B. Friedberg  
8 CRAIG B. FRIEDBERG  
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CERTIFICATE OF SERVICE

I, Adrienne D. McEntee, hereby certify that on January 30, 2020, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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*Attorneys for Defendant Energy Group Consultants, Inc.*

DATED this 30th day of January, 2020.

TERRELL MARSHALL LAW GROUP PLLC

By: /s/ Adrienne D. McEntee, Admitted Pro Hac Vice  
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**— EXHIBIT 1 —**

# **UNITED STATES CONSUMER LAW**

## **ATTORNEY FEE SURVEY REPORT**

**2017-2018**



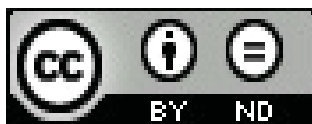
**Ronald L. Burdge, Esq.**

**United States Consumer Law  
Attorney Fee Survey Report 2017-2018**

Survey Conducted By  
and  
Survey Report Authored By

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## Nevada

	This Survey
Average Number of Attorneys in Firm	2.33
Median Years in Practice	23.5
Average Concentration of Practice in Consumer Law	77.8
Primary Practice Area	Consumer Law
Secondary Practice Area	Bankruptcy
Average Number of Paralegals in Firm	1.22
Last Time Attorney Rate Changed (Average in Months)	15.66
Average Billable Paralegal Rate	140
Average Attorney Rate for All Attorneys	404
25% Median Attorney Rate for All Attorneys	350
Median Attorney Rate for All Attorneys	450
75% Median Attorney Rate for All Attorneys	525
95% Median Attorney Rate for All Attorneys	600
Median Metropolitan Attorney Rate	450
Median Non-Metropolitan Attorney Rate	350
Median Attorney Rate in Northern Area of State	350
Median Attorney Rate in Southern Area of State	450
Median Attorney Rate in Eastern Area of State	350
Median Attorney Rate in Western Area of State	450
Median Attorney Rate in Central Area of State	450



## Median Rates for Practice Areas

	25% Median	Median	95% Median
Attorneys Handling Bankruptcy Cases	275	475	525
Attorneys Handling Class Action Cases	400	500	625
Attorneys Handling Credit Rights Cases	288	450	613
Attorneys Handling Mortgage Cases	250	413	513
Attorneys Handling Vehicle Cases	450	500	550
Attorneys Handling TCPA Cases	450	500	575
Attorneys Handling Other Cases	350	450	525